



MINUTES OF A SPECIAL MEETING OF THE PLANNING COMMISSION

JUNE 27, 2007

Acting Chair Lenny Levy called the meeting to order at 7:30 p.m. Present at the meeting were Commissioners Matthew Hopkins, Lloyd Kaufman, and Danny Winborne, Alternate Commissioner Geri Lanier, Assistant City Manager Fred Felton, Planning and Code Administration Director Greg Ossont, Planning Director Lauren Pruss, Community Planning Director Trudy Schwarz, and Recording Secretary Myriam Gonzalez. Acting Chair Levy noted Alternate Commissioner Lanier would participate this evening, since not all Commissioners were present. Absent: Chair John Bauer.

Acting Chair Levy read a statement that applications Z-304 and SDP-06-004, both related to the proposed redevelopment of Broadstone Apartments, had been scheduled for the June 20, 2007, regular meeting, which did not take place due to a lack of quorum. He added that these were scheduled for a special meeting tonight, as they are not hearing items, so that the Commission can make its recommendations to the City Council before they take final action on the applications and on the tenant relocation program on July 9. All other items originally scheduled for June 20 will be rescheduled for the next regular meeting on July 11, 2007.

I. RECOMMENDATIONS TO MAYOR AND COUNCIL

Z-304 -- Fairfield Broadstone, LP

Request to rezone 14.157 acres of land, currently known as Parcel A, Lots N-943, N-994, N-888, and N-939, the Broadstone Apartments, located at the Md. Rte. 355/West Deer Park Road intersection, Gaithersburg, Maryland, from the existing R-20 (Medium Density Residential) Zone to the CD (Corridor Development) Zone, in accordance with § 24-196 (map amendments) and § 24-160G.6 (procedure for application and approval) of the City of Gaithersburg Code

and

SDP-06-004 -- Fairfield Broadstone, LP

Request for approval of the schematic development plan (SDP) known as Parcel A, Lots N-943, N-994, N-888, and N-939, the Broadstone Apartments, located at the Md. Rte. 355/West Deer Park Road intersection, Gaithersburg, Maryland. The proposed plan includes 334 multi-family units, 53 townhouses, and 28 two-over-two units.

Planning and Code Administration Director Ossont referenced the Staff Analyses of these applications, noting they addressed all issues raised at the joint public hearings and joint work sessions. He presented the conceptual plan and cross-sections of Md. Rte. 355, West Deer Park Road, and their intersection, showing perspectives of buildings in relation to the street, and discussed site access, building height, and conceptual architecture. He voiced staff's recommendation for approval with conditions, which he listed.

In response to Commissioners Kaufman's and Levy's inquiries about previously-expressed concerns with the bus stop location and with the impact from traffic generation on Md. Rte. 355, Mr. Ossont noted that the Md. Rte. 355/West Deer Park Road corner would be redesigned as part of proposed significant streetscape improvements and that City Engineer Mumpower had initially reviewed the traffic study and had no major concerns with a slight traffic increase. Commissioner Winborne inquired about the status of the relocation program for residents of the apartments. Mr. Ossont referenced a memorandum from Assistant City Manager Felton and Staff's Condition 11 which addresses that issue. Mr. Ossont reiterated that tenants would receive 3½ months' rent as part of the tenant relocation program and that they would be given preferential treatment if they wished to return to the property after redevelopment.

Mr. Ossont also answered questions of Commissioners Kaufman and Levy about the timeline of the relocation/redevelopment process and the environmental waiver request and, regarding the latter, noted that staff had no concerns given the proposed significant enhancement of the stream valley buffer. Commissioner Hopkins, noting that although pocket parks are desired amenities, strongly recommended they be as small as possible and that the field behind them be restored to a natural condition rather than a lawn. Alternate Commissioner Lanier inquired about hazardous materials from the buildings to be demolished. Mr. Ossont noted that this issue would be addressed based on an engineer's analysis to be submitted with the demolition permit application. Commissioner Hopkins added that as part of the proposed development, a construction recycling waste management program should be instituted.

Commissioner Kaufman voiced his enthusiasm for this project and favored recommending approval, although he felt some reluctance in light of a previous project involving tenant relocation where the applicant did not follow through in the construction of the approved site plan. Commissioner Winborne echoed the previous comments. It was noted that a covenant against the property which would restrict the reuse and re-occupancy of the multiple family dwelling units prior to demolition is under negotiation. Acting Chair Levy voiced Chair Bauer's comments, which had been submitted via e-mail and was in support of the project, but questioned whether there was an overuse of neo-traditional forms and details as presented on the elevations. Commissioner Hopkins discussed the rezoning application and favored the architectural and streetscape proposals at the conceptual level.

Commissioner Kaufman moved, seconded by Commissioner Winborne, to recommend Zoning Map Amendment Z-304 for APPROVAL to the Mayor and City Council.

Vote: 5-0

Commissioner Hopkins moved, seconded by Commissioner Kaufman, to recommend SDP-06-004 for APPROVAL to the Mayor and City Council, with the following conditions:

1. Applicant shall obtain Concept Storm Water Management approval prior to Final Site Plan approval;
2. Applicant shall obtain all necessary Environmental Waivers prior to Final Site Plan approval;
3. Applicant shall obtain all necessary Road Code Waivers prior to Final Site Plan approval;
4. Applicant is to provide a staging, milling, repaving, and reconstruction plan for the disturbance to W. Deer Park Road to DPWPM&E as part of any Final Site Plan application;

5. Applicant is to receive all necessary State Highway Administration access permits prior to the issuance of site development permits;
6. Applicant is to submit Homeowners Association (HOA) documents, including maintenance responsibility for storm water management facilities and common areas as part of any Final Site Plan application;
7. Applicant shall obtain final forest conservation plan and landscape plan approval by the City's Environmental Specialist prior to the issuance of site development permits;
8. Applicant is to work with City staff and Montgomery County Ride-On regarding the review and approval of all bus shelter locations;
9. The final utility plan, including the undergrounding of utilities along West Deer Park Road, shall be revised and approved by DPWPM&E and receive final approval letters from appropriate utility agencies including, but not limited to, Washington Gas, PEPCO, Verizon, and WSSC prior to the issuance of Public Works permits for work within the West Deer Park Road right of way;
10. Final signing, lane marking, turning radii plans, lighting plans, paving and storm drain plans, grade establishment plans, and details are to be reviewed and approved by DPWPM&E prior to the issuance of Public Works permits;
11. Applicant is to continue to work with staff to develop final tenant relocation, demolition of existing structures and new construction staging plans prior to final site plan approval; and
12. Applicant shall obtain necessary Height Waiver in conjunction with schematic development plan approval.

Vote: 5-0

II. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:14 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary